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The Pioneer Organ of Anarchism.

Liberty

NOT THE SLAVE'S BUT THE MASTER'S BANE.

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"For always in thine eyes, O Liberty!
Shines that high light whereby the world is saved;
And though they slay us, we will trust in thee."
JOHN HAY.

LIBERTY

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"In abolishing rent and interest, the last vestiges of old-time slavery, the Revolution abolishes at one stroke the sword of the executioner, the seal of the magistrate, the club of the policeman, the gauge of the exciseman, the writing-knife of the department clerk, all those insignia of Politics which young Liberty grinds beneath her heel."—PROUDHON.

2765

LIBERTY

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ON PICKET DUTY

Whatever the reader of this issue of Liberty may neglect, he must not fail to read the open letter of Vladimir Korolenko to a Russian State Councillor. It is a terrible document, and should command universal attention.

Before publishing any new books, it is advisable to print new editions of some that have dropped out of print. Besides "Mutual Banking," I now have new editions, from new plates, of Zola's "Modern Marriage" and Badcock's "Slaves to Duty." Moreover, the prices of these pamphlets, as well as of some others, have been reduced.

The Anarchist stickers, devised and produced by Mr. Byington, are a highly useful addition to the Anarchistic propaganda, and are being used more and more widely. No form of agitation can be conducted as cheaply as this, and the variety of the stickers themselves as well as the variety of purposes to which they can be applied offer the widest opportunity for intelligent discrimination. Undoubtedly the best method is to place them on letters and other mail packages. If a thousand people in the United States

would persistently use them, much fruitful seed would be planted, and I urge all sympathizers to join me in their use. The terms on which I supply the stickers may be found in the advertising pages. It has been decided by the post-office department that their attachment to mail packages is not against the law. Some weeks ago I sent an employee to a postal station in this city to have some parcels rated. The parcels bore stickers. The clerk at the stamp window read them attentively, seemed much outraged, put impertinent questions to my employee, and then, after consultation with the station superintendent, rejected the parcels as non-mailable. The particular sticker that caused this excitement reads as follows: "Considering what a nuisance the government is, the man who says we cannot get rid of it must be called a confirmed pessimist." The next day I called on the superintendent myself, presenting for mailing a parcel bearing the sticker: "Whatever really useful thing government does for men, they would do for themselves if there was no government." The superintendent told me with great politeness that he saw no reason why this should not pass through the mails. Then I handed him the lower three rows of a sheet of stickers (the upper two rows out of the five that make a sheet being used by me but little for mail purposes), and asked him to rule which of the fifteen stickers comprised in these three rows are unmailable. He decided that all could pass, save three, which he considered doubtful: that packages on which any of these three were placed would be detained by him till he could get a ruling on them from his superior. One of the

three was that first quoted above. The two others read as follows: "Government regularly enforces its commands by the threat of violence; and government often commands things which it is ridiculous and outrageous to enforce by such a threat"; and, "At almost every point of history government has been found to be the greatest scandal in the world. Why? And when anything else has been extremely scandalous, this has usually been on acount of its association with government. Why?" I prepared three packages of third-class matter, each bearing one of the three objectionable stickers, and offered them to the superintendent for transmission in the mails, accompanied by a letter to the postmaster asking for a ruling on them. The problem proved too much for the postmaster, and he passed it up to Washington. After some days he replied that he had received instructions from the first assistant postmaster-general that the matter was mailable. Now, therefore, I am able to assure those wishing to use stickers that they may do so with impunity.

Least said, soonest mended. The United States should have made one point less in defending itself against the charge of bringing women to Panama to be companions for the men who are digging the canal. The officer who spoke for the government, after saying that the action had no excuse except its necessity, explained, first, that these Martinique negroes positively would not work in any place where they could not have their women, so that all employers who took them away from home had to do the same as

Uncle Sam is doing; second, that, although the marriage ceremony was little in use among them, the relation was ordinarily in the substantial nature of a proper marriage, which was likely to be observed more faithfully than is the custom in some countries where the formalities of the ceremony are strictly observed, so that the government thought it not disreputable to take a woman's word that she was a certain man's wife without asking her to show a marriage certificate; third, that the number who were allowed to bring wives was one out of every six common laborers, and one out of every three foremen. Any two of these three statements would make a fairly presentable explanation, as explanations go in this world; but the three together put a strain on my powers of combination.

The following extract from a private letter from C. E. S. Wood, of Portland, Oregon, is not only good sense, but the opinion of an eminent lawyer: "A United States court has again decided on this coast (in the case of the Seattle Brewing & Malting Company against Peter Hansen, *et al.*) that boycotting a beer, and printing cards, 'Don't drink scab beer,' etc., (naming the beer), is unlawful boycotting, and a violation of an injunction issued restraining any interference with the complainant's business. It seems to me the remedy of the employer would be in a suit for damages to show that scab beer, or any other term, impugned the quality of his beer falsely, and hurt his trade. I have never been able to see why men can not, by peaceable methods, refuse to deal

with any particular brewery, or to use any particular brand of goods, and ask their families not to do so, and ask their friends not to do so, and get their friends to ask their friends not to do so, and take the stump or publish pamphlets begging the public not to do so. It seems to me that this is a personal right of action and right of speech, and that no combination of people to do this lawful thing can make it unlawful. It would, of course, always be subject to the penalty for false and malicious statements."

At the recent meeting of the New York State Bar Association Congressman Littlefield, of Maine, spoke of the "potentiality of the constitution in repressing legislative ebullitions inspired by popular clamor based upon ephemeral excitement or unreasoning prejudice." He instanced the assassination of President McKinley, and the demand for legislation which would be certain to bring swift punishment to any one who tried to kill the president or any person in line of succession to the presidency. He pointed out that a demand for this legislation occupied about a tenth of President Roosevelt's message, closing with this resounding period: "The American people are slow to wrath, but, when their wrath is once kindled, it burns like a consuming flame." "The house and the senate engaged in a lively rivalry as to which would most promptly and completely meet the exigency," said the speaker; "both formulated and passed bills. These bills promptly died in conference. Their demise excited no remark, much less regret. Attention had been directed to other things. Sessions have come and

gone, and, so far as I know, there has not been any demand from any quarter for this once indispensable legislation. How soon we forget! This 'consuming flame' fiercely and quickly burned itself to ashes." But not before it had first burned to ashes the constitutional guarantee of freedom of speech by inflaming congressmen to pass a law excluding from the United States all persons believing in liberty. As Bastiat would have told Mr. Littlefield, there are things which he sees and things which he does not see

---

Congressman John Sharp Williams, of Mississippi, has made the remarkable discovery that the only justifiable war is a war that is justified on both sides. Such a war seems to me the most unjustifiable of all. A war, to be justifiable, must be waged to right an unbalanced wrong. When one wrong balances another, all excuse for fighting has disappeared.

Intending emigrants had better not be on with the new love before they are off with the old. Mariam Zartarian, a child of fifteen, has been held in detention nine months, awaiting the decision of the supreme court. Her father, a naturalized American citizen, sent to Turkey for his family. On their arrival his wife and son were admitted, but his daughter Mariam was excluded on account of an eye disease. As the family had formally renounced allegiance to Turkey, Mariam cannot return to her old home. The chivalrous Roosevelt, who wants only "the right kind" of immigrants, must be as proud of this girl's plight as of the dragging of Mrs. Morris through

the White House grounds and the slaughter of the Moro women. The supreme court should delegate the president to take Mariam out to sea and drown her.

A number of gentlemen have been at pains to classify Roosevelt as a politician. One Democratic partisan has called him "a born Democrat." Perry Belmont protests, saying that Roosevelt has not a single Democratic idea, and has always been a bitter party man, an orthodox Republican. Foraker, Aldrich, and Elkins, with their following, would repudiate him in that capacity, if they dared; and certainly *they* are orthodox Republicans. They gave him Tillman for a bed-fellow on the rate bill, which was an indirect repudiation. What Tillman thinks of him we know. Is he a progressive Republican? Ask the anti-imperialists, anti-"big stick" men, and tariff reformers of that wing of the party. The "Public" has called him an empirical statesman. What honor, and what pedantry! He is simply an erratic, absurd person, without convictions or the ability to form them, without brains or consistency, and without intellectual honesty or moral courage. This would be the universal opinion, if he were not president; it is the truth, whether the majority sees it or not.

Susan Geary went to have an operation for abortion performed in Boston, and she died of it. To conceal the trouble the doctors cut her body apart, put the pieces in two dress-suit cases and a bag, and threw all into the water. The parcels were found, one at a time,

the first parcel not containing any workable clue, so that nothing could more perfectly have fulfilled the requirements of a sensation of the yellowest kind; and at length the whole thing was unraveled by a reporter's detective skill. And the authorities announced that they were thoroughly clearing out from the city all the establishments where this unlawful surgery was performed. This whole affair is very recent. But now we find that Annie Russell has gone to one of these shops in Boston to have an operation of the same sort performed just now, and she also has died of it, and we have the whole excitement over again in a smaller way; only this time I have not heard that the authorities made any announcement of a thorough clearance of the shops in question. Perhaps they realize that a too frequent repetition of such assurances becomes farcical.

Passive resistance and boycotting are now prominent features of every great national movement. Hungary having been threatened with absolutism, and being, probably, too weak to risk war with Austria, what does she do? Her national leaders talk about a boycott against Austrian products and passive resistance to the collection of taxes and the recruiting of troops. In some localities the resistance has already been attempted, with results as painful as demoralizing to the agents of the Austrian government. The boycotting of Austrian products may or may not be irrational, but this tendency to resort to boycotting is a sign of the times. Of the superior effectiveness of passive resistance to arbitrary and invasive policies it is hardly

necessary to speak. It may be noted, however, that the labor members of the British parliament do not seem to appreciate the full power of this method of defence. The Balfour-clerical education bill, a reactionary measure, has largely been nullified in Wales by the refusal of its opponents to pay the school rates. The labor group demands legislation throwing the whole burden of school support and maintenance on the national treasury. Under such a system, passive resistance to the school act would be rendered almost impossible, for national taxation is largely indirect. The reactionaries perceive this, and are not at all averse to the proposal. Local autonomy in taxation and local direct rates are very advantageous to passive resisters, and labor is short-sighted in giving up the advantage.

Last October, in a New Jersey court, a man was sentenced to only thirteen years at hard labor, though begging for the addition of a year to his sentence on the ground that he was afraid of the number thirteen. Within three months he died in prison, of pneumonia. Now, here's an idea. Why not change all legal penalties to imprisonment for thirteen days? It might, after all, prove a greater deterrent of crime,—for the superstitious and the criminal classes are largely identical,—and at any rate it would reduce the cost of our prison system to almost nothing.

The world moves. The reaction in our politics and jurisprudence shows signs of exhaustion. The federal supreme court has rendered an almost revolutionary

decision in Chicago cases, refusing to make an ambiguous phrase in a legislative act notoriously purchased by bribery the basis of sweeping claims of traction companies to rights in and over the city's streets. The alleged rights were worth about fifty millions, and few Chicagoans ventured to hope for a decision wiping them out. The court did not hesitate to do so, affirming the principle that grants of public property must be expressly conferred. A significant symptom, this.

The capitalistic press is agitated over the conversion to Socialism of a number of young men of means and education. One of these youthful converts, Joseph Medill Patterson, of Chicago (a grandson of the founder of the Chicago "Tribune"), resigned an office he held under Mayor Dunne to devote himself to the propaganda of Socialism. He had discovered that money was "everything,"—"wine, woman, and song," "rest and activity," fame, influence, and what-not,—and concluded that the great need was equality of opportunity. That equality of opportunity and Socialism are interchangeable terms is, of course, a jumped-at conclusion of the most naïve and ridiculous sort; but, if the young men were unable to see the gap in the argument, does not the responsibility lie largely with the capitalistic press and the capitalistic political economists of the colleges? The conversions so excitedly discussed by the capitalistic press constitute a reflection upon its intelligence and logic. Can generous and fair-minded young men find intellectual peace and satisfaction in the wretched sophistry and special pleading of the plutocratic apologists for the

existing order of things? That they should revolt and embrace Socialism is creditable to their feelings. In due time they may make a further discovery—that injustice and artificially-caused inequality can be removed and prevented without plunging into Socialism and surrendering liberty. But the sham-individualist editors will not facilitate this discovery. In their attempts at "reasoning together" with the young men they are exhibiting their own intellectual bankruptcy. The recent efforts of the New York "Evening Post" in this direction would be pathetic, if they were not farcical. Socialism, it has been telling the erring youths, is not the ideal state, because liberty is an essential feature of the ideal state. But, as there is neither liberty or economic well-being in the present social state, it cannot be offered as a satisfactory alternative, and yet the squirming "Post" has nothing else to offer. Oh, yes, it offers a tariff for revenue — but that will not greatly tempt the ardent and well-meaning young men. For the rest, I am bound to say that, significant as these conversions are, the special case of Mr. Patterson has received attention out of all proportion to its deserts, the arguments that he has offered in explanation of his change of view being simply ludicrous.

My friend C. E. S. Wood discusses in the "Pacific Monthly" the question of law-made morals apropos of the action of the mayor of Portland in ordering the closing of a side-entrance hotel with rooms upstairs. The place was a respectable house of ill-fame, where young girls were "ruined" by bad men, the girls generally knowing the character of the place and the intentions of the men. Of course Mr. Wood has excellent things to say concerning the futility of attacks upon such places and the dependence of moral upon economic reform. So far he is, as usual, clear and safe and sound. Suddenly he startles one by the following descent:

> Meanwhile, those who desire to bring the laws of man somewhat nearer to the laws of God might devote their energies to the passage of a law declaring that cohabitation of an unmarried man and an unmarried woman shall be marriage, and that within six months the woman may register the marriage, giving time and place, and cause notice thereof to be served on the man, who may either contest the same before a jury, or may register his declaration of divorce. That, as against a married man, the woman may bring her action for support or alimony, and that all distinction between legitimate and illegitimate children be abolished, provided that the parentage of the child must be proved before a jury by the child or some one acting in its behalf during the lifetime of the father, and by personal service on him.

This is astonishing. It is worse than law-made morals; it is law-made slavery. Not even an age of consent, which the meddlers concede, is mentioned. Cohabitation is to be declared marriage, irrespective of the intent, will, purpose of the persons directly concerned. On what ground, pray? In the name of what principle? What becomes of the right of contract that adults are supposed to possess? Whose rights do people who cohabit without a marriage license invade thereby? In the case of a married man, the suggestion that the woman should be entitled to sue for support or alimony is equally monstrous. Why should the man be made by law to pay more than the woman

agreed to accept—if there was any question of pay in the affair? If there was no such question, it is surely scandalous to introduce it regardless of her intentions. Mr. Wood, contrary to all his principles, treats here grown persons as children who cannot regulate their own affairs. I repeat: his suggestions are startling, his "meantime" remedies worse than the disease.

George Bernard Shaw, unlike any other progressive man, is depressed by the great Liberal victory in England. It will do nothing, he says, for the social revolution. Does he really think that a Chamberlain-Balfour victory, with the re-establishment of protectionist tariffs which it would have induced, would have done something for the social revolution? On the "the worse, the better" theory of social tendencies it might, perhaps; but Shaw is an opportunist and a Fabian and meliorist, and from *that* point of view a protectionist revival and a popular endorsement of reactionary colonialism could hardly have been hailed as a victory for progress. This election, by the way, whatever else it indicates, certainly indicates an uprising against privilege and caste and aristocratic pretensions. Does this depress Shaw? Or is his depression due to the feeling that the Liberals are too individualistic? A Socialist editor, Blatchford, has given strong expression to this feeling. "Liberalism," he is quoted as saying, "means Individualism, and by no policy and no argument can Individualism and Socialism be brought into alliance. What is the backbone of the Liberal faith? Free competition, free trade, free contract! And all these things are in direct opposition to

Socialism." This would be very important and very fortunate, if it were true; but, alas! it is not true. It was not true as long ago as when Spencer wrote "Man *vs.* the State," in which he charged Liberalism with betrayal of its former doctrines and surrender to Socialism. It is even less true to-day. What is the Liberal programme? What does it offer to labor? A whole series of Socialistic measures—nothing but regulation and restriction. What does it offer to do for free contract and free trade in the larger sense of the phrase? Nothing, absolutely nothing. Why, then, should Socialists indulge in lamentation, and talk, as Blatchford does, about "smashing the Liberal party"? Liberty is pleased with the result of the British elections, in spite of the Liberal surrender to Socialism, because it hates jingoism, Chamberlainism, and imperialism, and because the errors of the Liberals and Radicals are errors of the head, not of the heart. That they are not more libertarian is a pity, but, even as they are, they are infinitely superior to their Tory or "Unionist" opponents.

FEBRUARY 22

[W. J. Lampton in New York "Sun."]

By gosh,
G. Wash,
If you could rise
From the dark earth, wherein your body lies,
Into the light of these progressive days,
And see the curious ways
In which the truth is rammed
And shammed,
You'd say,
In your old-fashioned way:
"Well, I'll be damned."

2779 L.392

A tomb is the very best thing
For a gift to our lord the king.
—*James Thomson.*

A NATION KNEELING AT THE CANNON'S MOUTH

The letter following, written by the famous Russian, Vladimir Korolenko, author of "The Blind Musician," will give Americans a better idea of the present tragic situation of the Russian people than can be gathered from the most diligent reading of the cable despatches. It appeared on January 21 (Gregorian calendar) in the Russian journal, "Poltavtchina." Ten days after its appearance State Councillor Filonoff, who was responsible for the atrocities denounced by Korolenko, was "executed" by a Russian revolutionist of Poltava. The "Poltavtchina" of February 1 gave the following account of the "execution":

Mr. Filonoff, first councillor of the governmental administration, was killed yesterday morning at ten o'clock in Alexander street. A stranger, walking straight up to him as he was passing the Bank of Commerce, fired a revolver in his mouth, and then, replacing the weapon in his pocket, disappeared. Filonoff fell dead. The ball, entering by the mouth, had come out through the neck. The body, picked up by a policeman and a witness of the murder, was carried to the hospital. A small pool of blood had formed upon the sidewalk. The news of the murder spread rapidly through the city, and soon a large crowd had gathered on the spot. Before long came the different authorities and the fellow-officials of the deceased. The search for the murderer, so far, has been fruitless. It is needless to say that Filonoff's unexpected end has caused a great excitement throughout the city, and a local newspaper, trying to establish a connection between the assault and the letter of Vladimir Korolenko, directly accuses Korolenko of inciting to Filonoff's murder. This very serious charge may lead to grave consequences for the great writer.

On February 10, because of these accusations, Korolenko left Poltava for St. Petersburg. Immediately after the appearance of his letter the revolutionary press had begun a campaign against him. When the murder supervened, the local Black Hundred began to threaten him. At the thought of his danger the people of the neighboring villages, where his name has become extremely popular, grew much excited. They declared that, if a hand were laid on Vladimir Korolenko, they would rush upon the town and sack it. Korolenko's departure is partly to be explained by his desire to remove, by his absence, all pretext for collision between the various factions. He has been prosecuted for his letter, but has been released from custody, on bail. The publication of the review, "Rousskoe Bogatstve" (Russian Wealth), of which he is editor-in-chief, has been suspended. Now for the letter,—a document which in history may rival in importance the "J'ACCUSE" of Zola.

2780 L.392

OPEN LETTER TO MR. STATE COUNCILLOR FILONOFF

Mr. State Councillor:

Personally, we are not acquainted. But you are an official whose name has been made widely notorious in this section of the country by your campaigns against your fellow-countrymen. I am a writer who proposes to cast a retrospective glance over the brief record of your exploits.

But first a few preliminary observations.

In the borough of Sorotchintsi meetings had been held and speeches delivered. The inhabitants of Sorotchintsi presumed, evidently, that the manifesto of October 17 gave them the right of assembly and speech. And, in truth, it did. The manifesto granted these rights, and added that no Russian citizen was responsible save to the courts. It proclaimed further the participation of the people in the legislation of the country, calling these things "the immovable bases" of the new Russian social order.

So the inhabitants of Sorotchintsi were not mistaken on this point. Only they were not aware that, on an equal footing with the new principles, had been maintained the former "provisional laws,"—the

" state of defence," the " state of siege," etc.,—which permit the administration, at any given moment, to entangle the rights of the nation in a network of authorizations and prohibitions,—permit it, in short, to nullify all these rights and even to characterize them as disorders and riots requiring the intervention of armed force. True, the administration was invited to conform its acts to the spirit of the new fundamental law, but—the administration kept also the old circulars and interpreted the new suggestions in the light of the absolutism of the past.

For two months the higher authorities of Poltava oscillated between these opposite principles. In the city speeches and meetings took their course, and the people sought eagerly to understand the events of the time. Undoubtedly, during all this, some harsh and perhaps excessive things were said, and the different opinions and declarations were not always consistent. But we are accustomed to judge phenomena by the importance of their results. The fact is that in the stormiest days, when from every hand came news of destruction, of murder, of repression, at Poltava there was nothing of the kind. Nor were there here any of those peremptory processes to which agrarian movements were resorting in other places. Some, and rightly, attributed this to the relative toleration practised by the higher authorities of Poltava with regard to liberty of speech and meeting. Under this influence popular passions were moderating, conscience was freeing itself, reliance on legal methods was growing firmer, and hopes were turning toward the free institutions in prospect. A little more, it seemed, and

public opinion would form and clear itself as wine clears itself after active and boisterous fermentation. And besides, was it not a matter of necessity that the people should apply themselves to the definitive elaboration of the supreme legislative institution of the country?

Alas! that state of things is now but a memory. Since December 13 the authorities of Poltava have been following a different tactic. As results: savage devastation in the city by the Cossacks, blood flowing in torrents in the country districts. Faith in the range of the manifesto is shaken, conscious efforts are dying out, rougher elements are breaking loose, or, what is worse, are gathering strength within, brooding hatred and revenge . . .

Why do I say all this to you, Mr. State Councillor Filonoff. I understand perfectly that all the great principles declared (only in words, unhappily) in the manifesto of October 17, 1905, are to you foreign and organically hostile. Nevertheless, they are already the fundamental law of the Russian State, its " immovable bases." Do you understand the criminal aspect that your acts would wear before the tribunal of these principles? . . .

But I will be moderate, more than moderate, conciliatory even to excess. So I will apply to you, Mr. State Councillor Filonoff, only the ordinary standards of the old Russian laws current prior to October 17.

Here are the facts:

In Sorotchintsi and in the neighboring village of Oustivitsa meetings were held without formal authorization. Speeches were made, and resolutions passed.

Among other declarations there was one for the closing of the monopoly wine-shops. By decree of the communes the doors of these shops were sealed, without awaiting official authorization.

On December 18, in the name of the "state of defence,"—that is, without a warrant,—one of the inhabitants of Sorotchintsi, Besvikonni, the most popular of the champions of their interests, was arrested. His fellow-citizens demanded his production in court and his release on bail. These requirements of judicial investigation, in place of odious administrative absolutism, are becoming general; they have been adopted in several boroughs and villages of our province, and with success. But the inhabitants of Sorotchintsi were met with a refusal. Then, in their turn, they arrested the police commissioner and another policeman.

On December 19 the chief of police of the district, Barbache, arrived at Sorotchintsi with a squadron of Cossacks. He had an interview with the imprisoned policemen, and yielding, it is said, to their persuasions, promised to intercede in favor of the liberation of Besvikonni. At the same time he went away with his squadron. But, immediately afterward, halting at the confines of the borough and dividing his detachment into two parts, he effected a circular maneuver, and approached the crowd anew. Then occurred a fatal collision, the details of which will be established in court. As a result, the chief of police was mortally wounded, and twenty of the inhabitants were either wounded mortally or killed outright.

Do you know, Mr. State Councillor Filonoff, under

what circumstances these twenty persons perished? Did the entire twenty kill the chief of police? Did they attack him? Did they resist him? Did they defend the murderers?

No. The Cossacks did not content themselves with dispersing the crowd and liberating the police commissioner. They began to pursue the fugitives, and, on overtaking them, massacred them. That is not all: they rushed into the borough, hunting down any of the inhabitants that they chanced to meet.

Thus, beside Mr. Maisinka's house, was killed the keeper, Otreschko, peacefully engaged in cleaning the snow from his master's steps. Garkovenko was feeding his cattle in his yard, half a mile from the town-hall. A Cossack took aim at him from the street corner; Garkovenko fell, wounded, before he had seen the rascal. The old druggist, Fabien Pérévozky, was returning from the post-office with his son. Unexpectedly a Cossack shot the son before the father's eyes, near the Orloff house. Serge Kovchoune was killed a few yards from his own door. The wife of a peasant named Makovestky was killed in the same doorway. A young girl by the name of Kélépof had both cheeks cut off. I could give you with exactness the place and circumstances of all the massacres of Sorotchintsi. It is enough for me to say that eight persons were killed at the town-hall or in the neighborhood; twelve fell in the street, beside their houses, or in their back-yards.

Now, Mr. State Councillor Filonoff, I will permit myself to ask you this question: on December 19 was there only one crime committed in Sorotchintsi, or

were there several, many crimes? Do you suppose that there is no precious blood save that which flows in the veins of people in uniform, and that the blood of men in caftans can be poured out like water, with impunity? Does it not seem to you that, if it is indispensable to inquire who killed the unfortunate Barbache and under what circumstances, it is no less so to inquire who, carrying arms, massacred in the streets, in the dooryards, in the kitchen-gardens, unarmed passers-by who were attacking nobody and not even defending themselves,—simple poor people who had not even been present at the scene of the fatal event of which they were ignorant, and who died in this ignorance?

Oh, no! It is entirely needless to apply to this tragedy the great principles of the new "fundamental law." It is sufficient to invoke no matter what law of no matter what country having the most elementary notions of written laws or of the common law. Betake yourself, Mr. State Councillor Filonoff, to the land of the half-savage Kurds, to the country of the Bashi-Bazouks. There the first judge whom you meet will answer you: "We too have among us much armed brigandage, dishonoring our country in the eyes of the entire world. Nevertheless, our imperfect laws recognize that the blood of the people, no less than that of an official, calls for justice."

Will you venture to deny this, openly and publicly, Mr. State Councillor Filonoff?

Certainly not. Then we are in agreement that it was incumbent on the representative of power and of the law, on going to Sorotchintsi for the first time

after the tragedy of December 19, to play there a stern, but an honorable and solemn *rôle*. On this spot, where agitation, chagrin, and terror already prevailed, it was his duty to recall the law, severe undoubtedly, but also impartial and just, which rises above the impulses and passions of the moment, and disavows the violence of the crowd, but which at the same time—mark it well, Mr. State Councillor Filonoff —*does not admit even the thought of class vengeance taken by an official upon an entire population* . . .

It was important for him to demonstrate to the people that the laws have not yet ceased to act in Russia; that the guarantees of justice, solemnly proclaimed by the manifesto of the czar, are not a dead letter, a broken promise. However, we have already agreed to let that pass, Mr. State Councillor Filonoff. . . . And besides, were this problem before us, it is not to you that its solution would be entrusted.

Yet, to the astonishment of many people, in Poltava, it was precisely upon you that was imposed the heavy, difficult, and honorable task of representing the power of the law in the borough of Sorotchintsi after December 19.

What was your understanding of your duty? And how did you perform it?

Let us come to the facts:

On December 21 the body of Barbache, who had died in the hospital, was carried away from Sorotchintsi. The church-bells had not yet ceased to toll when you, Mr. State Councillor Filonoff, made your entrance into the borough at the head of a squadron of Cossacks.

Was there, at that moment, any sign of rebellion? Did you encounter the least resistance? Had barricades been built to obstruct your passage? Were there any crowds bearing arms? Was any opposition offered to your procedure of investigation?

No. All trace of resistance or of any sort of violence had already disappeared from the borough of Sorotchintsi. The inhabitants were crushed under the weight of the terrible misfortune that had fallen upon them like a thunderbolt on December 19. They clearly understood the necessity of judicial intervention, and, if they had witnessed the advent of an examining magistrate armed only with the law, then too they would not have resisted, even in face of a squadron of Cossacks, whose *rôle*, in their eyes, should be solely to guard the free exercise of the law and not to punish people who have not been convicted, or to violate the law themselves by wrongful and vindictive acts of violence.

Yes, beyond any doubt, things would have taken their course in this way and no other. Especially as the inhabitants were looking to the judicial authorities for justice for themselves, in the name of the poured-out blood of so many of their relatives.

But it was not an examining magistrate that was sent to Sorotchintsi. It was you, Mr. State Councillor Filonoff (first councillor of the governmental administration). It is on you that falls the responsibility of the monstrous conduct of the armed troops sent under your orders, who transformed themselves from guardians of the law into violators of the law.

From the start you acted in Sorotchintsi as if you

were in a conquered country. You ordered the communal assembly to meet, and declared that, in case of failure to do so, you would not "leave one stone standing on another" in the entire borough. Is it astonishing that, after such orders, given in such terms, the Cossacks began to execute them punctually? Is it astonishing that the whole village is now talking, giving names, of a whole series of extortions and rapes, committed by the troops under your command?

What need had you of this communal assembly, and what were your acts of legal investigation in its presence?

Your first act was to order them *all on their knees*, having surrounded them with Cossacks with drawn swords; and then you advanced two cannons. Everybody submitted; everybody knelt, in the snow, with uncovered head. Two hours later you noticed the presence, in the kneeling crowd, of two knights of the cross of St. George. You allowed them to go. Then the new conscripts and the children were relieved. Those who remained you kept, under penalty of death, for four hours and a half, in this degrading posture, not even thinking that in this multitude thus illegally tortured there were people who had not yet buried their dead, the innocent victims of December 19,—brothers, fathers, daughters, before whom the murderers ought to have been on their knees imploring pardon.

You needed this multitude as the background of a picture, as proof of your official omnipotence and grandeur, and of your contempt of the laws that protect the persons and the rights of Russian citizens

against mad absolutism. And, after this, of what consisted your investigation, your judicial inquiries? You summoned individuals before you, separately, from a list prepared in advance.

For what purpose? To question them? To establish the degree of guilt and responsibility?

Not at all. Scarcely had the person summoned opened his mouth to answer the question, to offer an explanation, to prove perhaps utter non-participation in the event, when you, with your own councillor's hand, and with all your might, struck him in the face and handed him on to the Cossacks. The latter, in obedience to your orders, continued the criminal torture which you had begun, knocked him down into the snow, and beat him on the head and in the face with their nagaïkas (knouts), until the victim had lost voice and consciousness and human form.

It was precisely in this fashion that you behaved, for instance, with Simon Gritchenko, at whose house, it had been reported to you, one of the " orators " had passed the night. Show me, Mr. State Councillor Filonoff, the law by which a man giving hospitality to another for a night becomes responsible for all his words and all his acts, especially when his guilt is not yet proved. And yet, hardly had Gritchenko opened his mouth to explain when you began to beat him full in the face and then delivered him to the mercy of your Cossacks. After these first acts of violence he was imprisoned. Not satisfied with this, you had him summoned again in order to strike him in the face yourself once more and have him beaten a second time by the Cossacks.

The same fate was shared by Gérôme Moucha, in whose house was kept the key of the monopoly wine-shop closed by the commune; only, the latter received from you, in addition, a kick in the belly. The same processes, and twice over, were applied by you to Basile Pokrof, Abraam Gotlieb, Simon Sorokine, Simon Koverko. I will not stop to name the entire twenty persons favored by you with blows and kicks and then delivered to the torturers to be passed under the knouts. One more, however, I will mention,—the student Romanofsky.

The student Romanofsky is a " privileged " person; you did not dare to strike him with your own hands. You even hesitated to have him beaten by the Cossacks; he was simply imprisoned. But, when he was once behind the bars, a Cossack cried: " Why not the knout? "

It seemed to you that the Cossack was right. All are equal before the law. In its name crying iniquities were going on here. Why not equalize them all before iniquity? The student Romanofsky was brought out again; scarcely had he reached the steps when he was hurled into the snow and beaten unmercifully. Fortunately some one took enough pity on him to advise him to wrap his head in his *bashlik*.

Yet even with this you were not content. Throwing your superb look over the crowd kneeling in the snow and draping yourself in your councillor's majesty, the inspiration of a new act of cruelty suddenly illuminated you. At your command the Jews were sorted from the Christians, and, still kneeling, all the Jews were beaten. And you meantime made the following

observation: "The Jews are intelligent, and the worst enemies of Russia." And the Cossacks ran hither and thither in the crowd, cudgelling right and left men, women, and graybeards, "like sheep and lambs," to use the pictorial expression of eye-witnesses. And you, Mr. State Councillor Filonoff, you watched all this, stimulating the zeal of the torturers.

Mr. State Councillor Filonoff, believe me: I am weary, horribly weary, simply from describing in writing all the illegal basenesses and ferocities to which you, without discrimination, submitted the population of Sorotchintsi under pretext of judicial inquiry, without so much as trying to unravel their participation in the tragedy of December 19. And yet you were dealing with living creatures. It remains for me to tell how you repaired the next day to the village of Oustivitsa, there to perform new exploits. . . . . And behind you, like the trophies of a victor, were dragged your prisoners of war, bruised, torn, exhausted,—suffering beings whose proper place was the hospital.

And thus you went to Oustivitsa, to reëstablish the power of the law. . . . .

What had happened at Oustivitsa up to the time of your advent? There there had been no rebellion, no arrest of a police commissioner, no murder of a chief of police, no collision. A single incident: the agreement to close the monopoly wine-shop, carried out without awaiting official authorization. The seals on the door testified only to the voluntary decision of the inhabitants to drink no more. . . . .

True, this had been done without observing the

legal formalities. But you yourself, Mr. State Councillor Filonoff, you, an official and a servant of the law,—did you observe the "legal formalities" in doing your infamous work?

Moreover, I am wrong: the very night before, in accordance with the order sent by you to Sorotchintsi, the inhabitants had removed the seals from the door of the monopoly wine-shop, and so, on your arrival, there remained not even a trace of transgression of the law. . . . . The saloon was open, and wine was being sold there to drunkards freely and without supervision. Nevertheless, this did not deter you from fresh madman's pranks, which I will not describe in detail, leaving the exact account of them to justice, provided it shall come some day.

I confine myself to noting that, avenging this time solely the rights of the fiscal monopoly, you began to beat the mayor; you tore from his breast the emblem of his office and flung it into the snow. Then came the turn of the mayor's secretary. Your exhausted imagination caused you to seize the abacus and break it over the secretary, so that now he is unable to draw up more protocols or write more decrees. Here too you showered blows upon Denis Bakalo, who had come to the town-hall in search of information, striking him on the head with the register.

The inhabitants of Oustivitsa, like those of Sorotchintsi, were compelled to kneel in the snow, and were beaten with knouts. And likewise the court, if it shall sit, will have to pass upon the authenticity of the horrible stories told by the people of the rapes committed upon the women by the Cossacks. You

certainly will understand the difficulty of making public the names of these victims.

Here, as at Sorotchintsi, the multitude was kept upon its knees for two hours, while you extorted the names of the "instigators" and a decree dismissing all persons hostile to the higher administration. This compels me to remind you, Mr. State Councillor Filonoff, that torture has not been allowed in Russia since the time of Alexander I, that it is severely punished by the law, and that corporal punishment, even in court, is forbidden, without exception, by the manifesto of August 11, 1904. As for decrees obtained by processes obviously criminal, they have no legal value.

I have finished. And now, Mr. State Councillor Filonoff, I wait.

I wait to see, in case there still remains in our country any shadow of justice, in case honor and professional duty are not unknown to you, your fellow-officials, and your chiefs, in case we have any prosecuting officers, courts, and magistrates understanding the law or possessing the judicial conscience,—I wait to see which of us two, you or I, is to sit on the prisoners' bench and suffer the judicial penalty.

You, since you are publicly charged with acts contrary to duty, to dignity, and to professional honor, in that, under pretext of judicial inquiry, you introduced into Sorotchintsi and Oustivitsa, not the idea of legal justice and power, but simply ferocious and illegal vengeance of officialism and officials against insubordination to officials. Vengeance not even upon the guilty, for the guilty must first be found. No!

You have launched a blind and savage tempest of torture and violence against all, without discrimination,—among them many innocents.

If you can deny it, I will willingly take your place on the prisoners' bench, and demonstrate that you have done more than I have been able to describe, here, with my feeble pen. . . . .

I will demonstrate that, in calling you a torturer and a law-breaker, I say only that which your acts directly justify me in saying.

In practising undeniably abominable cruelties and illegalities, in trampling under foot all the laws, old and new, you are undermining in the people, not only faith in the sincerity and range of the manifesto, but the very idea of law and power. Which means that you and your like are pushing the people into the path of despair, violence, and reprisals.

I know that you can invoke the excuse that you are not alone; that acts like yours, even surpassing yours, go unpunished among us. Such is the sad truth, Mr. State Councillor Filonoff.

But it is no justification for you. If I address myself to you, it is because I live in Poltava; because the city is filled with living pictures of your baseness; because the groans of your victims rise here to my ears.

If, like your fellows, you go unpunished; if, through the condescension of your superiors and the impotence of the law, you succeed in avoiding the courts, preferring to bear in bravado, with the cockade, the stigma of these heavy public accusations, —then, even then, I am convinced that the letter

L.392

which I address to you will bear its fruits.

Let the country know to what order of things, to what force of law, to what responsibility of officials, to what protection of the rights of the citizen, one can appeal two months after the manifesto of October 17!

After all that has been said, you will understand why I cannot, at the end of this letter, even as a matter of form, Mr. State Councillor Filonoff, extend to you the assurance of my consideration.

VLADIMIR KOROLENKO.

Poltava, January 21, 1906.

A LESSON FOR A TEACHER

[New York Times.]

When a son of the much too-well-known creator of Standard Oil gravely announces that it is never right to do evil that good may come, or that "lying" of every sort and degree is always and necessarily bad, the phenomenon attracts far too much attention, and is calculated to spread very widely an even worse kind of moral confusion than that of which the young man is himself the irritatingly contented victim. . . . . Somebody to whom he will listen should tell Mr. Rockefeller that nothing is or can be evil from which real good comes. . . . . As for "lying," there are a thousand cases when what can be called "lying" is convenient, innocent, or necessary to the maintenance of human relations in organized society, but in those cases it is not "lying" at all, under any reasonable definition either of falsehood or truth. There is, of course, a dangerous middle ground where the two come together, and it is well to keep as far from it as circumstances will permit; but tools are not abandoned because they will hurt the careless or ignorant user, or explosives because they lack discrimination. This is a world of grown-ups, as well as of children, and it is judicious to confine baby talk to the nursery.

So many crimes have been committed in the name of Fraternity that, if I had a brother, I would call him "my cousin." —*Princess de Metternich.*

2796 L.392

L'ANCIEN RÉGIME;

OR,

THE GOOD OLD RULE.

Who has a thing to bring
For a gift to our lord the king,
Our king all kings above?
A young girl brought him love;
And he dowered her with shame,
With a sort of infamous fame,
And then with lonely years
Of penance and bitter tears:
Love is scarcely the thing
To bring as a gift for our king.

Who has a thing to bring
For a gift to our lord the king?
A statesman brought him planned
Justice for all the land;
And he in recompense got
Fierce struggle with brigue and plot,
Then a fall from lofty place
Into exile and disgrace:
Justice is never the thing
To bring as a gift for our king.

Who has a thing to bring
For a gift to our lord the king?
A writer brought him truth:
And first he imprisoned the youth;
And then he bestowed a free pyre,
That the works might have plenty of fire,
And also to cure the pain
Of the headache called thought in the brain:
Truth is a very bad thing
To bring as a gift for our king.

Who has a thing to bring
For a gift to our lord the king?
The people brought their sure
Loyalty fervid and pure;
And he gave them bountiful spoil
Of taxes and hunger and toil,
Ignorance, brutish plight,
And wholesale slaughter in fight:
Loyalty's quite the worst thing
To bring as a gift for our king.

Who has a thing to bring
For a gift to our lord the king?
A courtier brought to his feet
Servility graceful and sweet,
With an ever ready smile
And an ever supple guile;
And he got in reward the place
Of the statesman in disgrace:
Servility's always a thing
To bring as a gift for our king.

Who has a thing to bring
For a gift to our lord the king?
A soldier brought him war,
La gloire, la victoire,
Ravage and carnage and groans,
For the pious *Te Deum* tones;
And he got in return for himself
Rank and honors and pelf:
War is a very fine thing
To bring as a gift for our king.

L.392

Who has a thing to bring
For a gift to our lord the king?
A harlot brought him her flesh,
Her lust, and the manifold mesh
Of her wiles intervolved with caprice:
And he gave her his realm to fleece,
To corrupt, to ruin, and gave
Himself for her toy and her slave:
Harlotry's just the thing
To bring as a gift for our king.

Who has a thing to bring
For a gift to our lord the king?
Our king who fears to die?
A priest brought him a lie,
The blackness of hell uprolled
In heaven's shining gold;
And he got as guerdon for that
A see and a cardinal's hat:
A lie is an excellent thing
To bring as a gift for our king.

L.392

Has any one yet a thing
For a gift to our lord the king?
The country gave him a tomb,
A magnificent sleeping-room:
And for this it obtained some rest,
Clear riddance of many a pest,
And a hope which it much enjoyed
That the throne would continue void:
A tomb is the very best thing
For a gift to our lord the king.

James Thomson.

LIQUOR AND ITS NEIGHBORS

The neighborhood of a liquor-saloon makes adjoining locations less desirable for some purposes, such as ordinary residence, and particularly for the purposes of a public school. The lawmakers of Massachusetts have taken cognizance of this undisputed fact, as any wise man in their position might be expected to, and have provided that a license to sell liquor shall not be granted to any house within so many feet of a public school, and that any property-owner shall have the right to put a veto on the granting of a license to premises next his own land. These appear to be very wise provisions to insert in a license law, but their working has its comical side.

New brooms sweep clean; and Boston's new district attorney, entering on his office, found that one of the most prominent hotels of the city, the Touraine, was

L. 392

within the fatal distance from a schoolhouse. So the Touraine's license was taken away. Then a great uproar began, the opinion of those who made their voice heard being that such a high-grade hotel as the Touraine ought certainly to have a license. The new mayor also took hold to see what he could do, and presently made public announcement that the city government had under advisement plans for removing the schoolhouse in question to another site, in order to give the Touraine relief, since (as he explained) the present site was really no site for a schoolhouse anyhow. It may be doubted whether the framers of the law realized that its effect was likely to be to make schoolhouses move so as not to disturb bars. When we see the government of historic Boston arranging to move a schoolhouse in order that a liquor license may become legal, the prohibitionist and the rumseller are likely to agree that somebody has blundered.

That schoolhouse is not yet moved, however, so far as I know. It takes time for the city to move, even when such interests as these are at stake. But others were able to act more promptly. For it must be understood that this schoolhouse was not big enough to hold all its children: therefore the city had engaged temporary quarters in another building close by for a part of the work of the school; and these quarters were within distance of a few other licensed places besides the Hotel Touraine. The proprietors of these places believed in self-help. They learned that, the arrangement being merely temporary, the city had taken no formal lease of the rooms. At once they saw the owner of the building in which these rooms were situated,

L. 392

paid the price he demanded for a lease of the entire building, took an iron-clad lease of the whole for a very long term, and then, by their authority as lessees of the building, turned the city of Boston and its school out into the street. By this quick action their licenses were saved, and the dignity of the law was preserved.

The latest news is that the State legislature has amended the law so as to bring the Touraine's case within the operation of an exception of some sort, and the Touraine has its license again, even without waiting for the schoolhouse to move.

But before we came to this happy ending of the Touraine business we began to hear much talk about the "abutters' law." It was announced on good testimony that thrifty people who lived next to a licensed house were taking advantage of the situation to make the licensee pay for the privilege of retaining his license unobjected-to. Apparently, indeed, the opportunity of doing so was beginning to be recognized as an appurtenance which added to the marketableness of real estate, and presumably to its price; at least, a prominent judge said that he had lately received from a real estate agent a card offering certain property for sale, and mentioning, among other advantages, that it was next door to a liquor-saloon,—a fine opportunity. What it was such a fine opportunity for was not stated: but probably the opportunity to step in and get a drink was not what was meant. Cases of actual blackmailing were also cited in detail. Most critics objected to the action of the abutters in such cases as unethical, but at least one minister in a sermon

L.392

came forward as their eulogist. He said that, as long as the State was taking a license fee for permitting a man to sell liquor, it was equally right for the abutter to do the same: that you had no business to call it "graft" when collected by the abutter, unless you also called the legal license fee of the State "graft," the two being of precisely the same nature: and that, so long as the State continued its present policy, he wished more power to the abutter's elbow. Some folks may think this a very wicked clergyman, but those who are familiar with prohibition agitation will recognize that his purpose was exclusively to bring the license laws in general into condemnation and contempt: and, if you judge his argument from this point of view, I think you will find that its logic is so perfect as to protect it against all condemnation. However, the agitation about abutters has died down, and has had no result, so far as I know, except to call the attention of a larger number of abutters to their special opportunities.

STEVEN T. BYINGTON.

THE RIGHT TO MONOPOLIZE THE COUNTRY

"Further restriction of immigration" is again a popular subject of discussion in the press, in congress, and in current books. The act which was passed two or three years ago has not, it appears, excluded any considerable number of aliens, and the restrictionists are determined to secure a more effective piece of legislation from the present—very cheap and Teddyized—house of representatives, hoping that manufactured "public sentiment" and the frankly selfish

L.392

support of union labor may subsequently carry sufficient weight in the senate to prevent the shelving of the measure.

It is hardly necessary to say that the most asinine and Bunsbyist contribution to the discussion of the immigration question is to be found in the Roosevelt message of last December. Rooseveltian intelligence does not object to "immigration of the right kind" on any scale; it is opposed to *any* immigration of "the wrong kind." What the wrong kind is the following characteristic passage sets forth for the benefit of the perplexed lawmakers [Italics mine]:

> As far as possible we wish to limit the immigration to this country to persons who *propose to become* citizens of this country, and we can well afford to insist upon adequate scrutiny of the character of those who are thus proposed for future citizenship. There should be an increase in the stringency of the laws to keep out insane, idiotic, epileptic, and pauper immigrants. But this is by no means enough. Not merely the Anarchist, but every man of Anarchistic *tendencies*, all violent and disorderly people, all people of *bad character*, the *incompetent*, the *lazy*, the vicious, the physically unfit, defective, or degenerate should be kept out. The stocks out of which American citizenship is to be built should be strong and healthy, *sound in body, mind*, and *character*.

On the definiteness, the simplicity, the practical value of these suggestions I need not dwell. Here are ready tests, plain distinctions, unerring indications. The stuffed prophet has spoken. Congress has no excuse for further doubt or delay.

But it is not my purpose here to deal with Rooseveltian flatulence or vicious quackery. The above is to serve as an introduction to a brief quotation and a few lines of comment thereon. The quotation is from

L.392

a new book on "Immigration" in a new series on "American Public Problems." The author Prescott F. Hall, manifests at the outset a realizing sense of the fact that the burden of proof is on the advocates of restriction (he is one of them, by the way, and the body of the book presents nothing that is worthy of the attention of libertarians), and that a case must be made out in support of the principle of all general exclusion laws.

Here is his whole argument:

> In popular discussions of the immigration question it is often said that all who have come to this continent since its discovery should be considered equally as immigrants, and that only the aboriginal inhabitants can be properly called natives. In a certain sense this is, of course, true, but in another it is entirely misleading; for one cannot speak of immigration to a country until that country has entered upon a career of national existence. Accordingly, a distinction has been made, and with reason, between those who took part in building the political framework of the thirteen colonies and of the federal union, and those who arrived to find the United States government and its social and political institutions in working operation. The former class have been called colonists, the latter are immigrants proper. In discussing the immigration question this distinction is important; for it does not follow that, because, as against the native Indians, all comers might be considered as intruders and equally without claim of right, those who have built up a complicated framework of nationality have no rights as against others who seek to enjoy the benefits of national life without having contributed to its creation.

If this is the best the restrictionists can say on the fundamental issue, they deserve either pity or contempt, intellectually speaking.

The emigrant who comes to a colony is a colonist; the emigrant who comes to a full-fledged nation is an immigrant. Let us accept this classification. It has

L.392

none but verbal significance.

Does it follow from this distinction that the colonists and their descendants have rights as against immigrant-emigrants? On what are these rights based?

Apparently on their work in constructing the "complicated framework" of nationality. This suggests several questions.

In the first place, did the colonists emigrate to America for the altruistic purpose of creating and establishing a new government, or for that of improving their own lots, of bettering themselves materially and spiritually? The answer is obvious.

True, after coming and settling here, they did participate in the aforesaid work. That was not necessarily sacrifice. Some worked for pay, some for glory and popularity. Some were upright and sincere, others demagogical and corrupt. In the most favorable cases, the work was incidental; the primary motive was individual and family benefit. A pretty poor basis, assuredly, in all this, for rights as against later immigrants.

In the second place, granting for the sake of the argument that the work on the framework conferred rights, were those rights inherited by the descendants of the workers? That would be a preposterous contention. The descendants enjoy the benefits of the work of their ancestors without any cost to themselves; isn't that enough? What gives them the additional right to exclude others?

It may be rejoined that the descendants are not getting the benefits in question gratis, for there is still plenty of work to do on the structure. This is a

L.392

good point—but one that is fatal to the whole argument. There *is* plenty of work to do. The structure is not complete; it never will be, while the parts that are complete need to be watched and kept in a state of repair. The descendants are working on the structure. But so are the immigrants, and the would-be immigrants are perfectly willing to participate. Where is the difference between them and those already here?

"The benefits of national life," indeed! What about the burdens and cost of national life—the army, the navy, the swarms of politicians, the parasites? How long, in any social state, could a people live on the work of past generations?

I conclude that it is not safe for restrictionists to display either candor or reasonableness in presenting their demands. The moment they invite argument they are lost. They had better stick to Rooseveltian flatulence and empty generalities. S. R.

MURDER ENTIRELY SATISFACTORY

In reply to widespread criticisms condemning the massacre of eight hundred Moros President Roosevelt has issued a certificate which not only exonerates Butcher-General Wood and his command from all blame, but enthusiastically commends them for having "performed a most gallant and soldierly feat in a way that confers added credit on the American army." By the same authority, "they are entitled to the heartiest admiration and praise of all those of their fellow-citizens who are glad to see the honor of the

L.392

flag upheld by the courage of the men wearing the American uniform."

The moral obliquity of this official endorsement of wholesale murder can be appreciated by reducing the facts to their simplest terms. On the other side of the earth lies a group of islands whose unfortunate inhabitants, through stress of war and conquest, have been compelled to submit to the domination of the great American nation. The conquerors assert that the natives are unfit to govern themselves; that, even if they could do so, some other aggressor nation would take advantage of their weakness, seize their territory, and proceed to rule over them. To prevent such a calamity our American rulers, from motives of pure philanthropy, have undertaken, at much sacrifice of men and money, to govern them. They are now training them, by slow and gradual steps, in the delicate art of self-government on the approved American plan.

While the partially civilized inhabitants of the islands have made a virtue of necessity and with secret reservations accepted the rule of the conqueror, there are still in the outlying islands some who have not yet been brought under the benign influence of our civilization, and who retain enough of their savage instincts to set great store on liberty. These intractables have so far resisted the combined efforts of school-teachers, missionaries, and military adventurers, sent expressly by the American government to civilize, educate, and enlighten them. A tribe of these ungrateful barbarians, in their unpardonable desire to escape foreign domination, betook themselves to

the mountain, and established their stronghold in the jaws of a crater. The foreigner then quite properly classed them as robbers and outlaws. Wherefore they were sought out by the "courageous men wearing the American uniform," who by means of block and tackle were enabled to hoist their implements of civilization up the side of the mountain to the crater mouth. During a desperate and prolonged conflict, in the interest of humanity, in which some fifteen American soldiers were killed, the rebels, men, women, and children, to the number of eight hundred, miserably perished. The whole band thus caught like rats in a trap was annihilated by our gallant soldiery.

All hail, the mighty Wood! Once more order reigns in Jolo.

This incident personifies that aggressive spirit of success at any price, lust for power, dominion of the strong and contempt for the weak, common in every age, but always seen at its worst in acts of government. The American flag covers no blacker crimes than have been committed by other predatory powers. Only the other day, in Northern Nigeria, a British expedition killed a thousand of the natives, who are said to have objected to the building of the Mombasa railroad through their country. The story of German conquest in Africa or China, of the French in Tonquin, of the English in the East, unfolds horrors that have not yet been outdone by American prowess. King Leopold's campaign of exploitation for private profit in the Congo is still in progress, despite the protests of respectable people in the United States. It will be interesting to note how many Christian

pulpits will now ring with denunciations of Butcher-General Wood and his abettor, Theodore Roosevelt, as they have rung against official massacres in Russia, Armenia, and other places where the butcheries were perpetuated by governments and troops not American.

In former times the State, the government, meant, not a people, but a dynasty. Wars were carried on, whole nations were decimated and beggared, for no better reason than to further the ambition or folly of some irresponsible throned despot. Not so to-day. Powerful classes with vast and varied financial interests control the State. The modern ruler, be he kaiser, prime minister, or president, represents the will of these dominant classes. Business, whose aim is profit, is the final arbiter of national and international policies. The great financier, the money king, is the oracle of peace and war.

Imperialism, the dominant national spirit, is the outcome of the concentration of wealth, the growth of a very rich and therefore very powerful class, whose grip is tightening upon the chief industrial sources of income. Roosevelt, the temperamental swashbuckler, is but a tool ready to the hand of the controlling business interests. His bluster over rate-making by government process in no wise invalidates this fact. He stands for Authority, the concentration of power, a larger army, a big navy, heavier national expenditure, an aggressive foreign policy. All this harmonizes with the dominant business interests. A little more official regulation, say of railroads and incidentally of labor unions, will not check the

healthy growth of profits. Individual groups of railroad managers may resist, but, as a class, the proprietors and business men will not suffer in pocket through government regulation. Besides, it is shrewd politics to advocate laws which give the mass of the people the impression that the government is wrestling with big monopolies, endeavoring to curb their greed and protecting the public against illegal modes of exploitation.

It is an old trick of the politicians to play upon the credulity of the people. There is scarcely any limit to public gullibility. The outcome of the present snarl between president, senate, and house of representatives will disclose another game of bluff. None of the purposes for which the Interstate Commerce Commission was created have been fulfilled. Its functions soon became emasculated to the mere compiling of railroad statistics. Under the Sherman anti-trust law all monopolies and combines in restraint of trade became illegal. Yet most of the big trusts have been formed since the law was enacted. During the fifteen years of its operation, the federal government has prosecuted in twenty-six cases. Ten of these cases were won by the government, of which four were against combinations of labor. Of the six cases decided against trusts, decisions in favor of the people could have been secured in three at least without resort to the anti-trust law. The grand record of the Department of Labor and Commerce, which was created to investigate and curb the illegal workings of trusts, is too well known to call for comment.

Thus discounting the importance of the presidential policy of reform, it becomes apparent that the advantages of the big-stick *régime* and Rooseveltian ideals to large business interests are positive and overwhelming. A military and naval establishment, the annual cost of which expands in almost geometrical progression, forms an immense boon to certain groups of capitalists and business men. Consider how many free libraries Carnegie has contributed out of the profits on armor-plate; the philanthropic deeds performed by Morgan from the proceeds of commissions on government loans; the array of profitable private freight cars Armour was able to build out of his gains on the embalmed beef sold during war-time to the unsuspecting government. All classes of business men that see an opportunity of profit in furnishing supplies or credit to the government will surely favor a policy involving generous expenditure. Moreover, our modern industrial system in its latest developments, whose mainspring is capitalistic profit, thrives best upon national waste and extravagance. And what can be more effective to this end than war or preparation for war? In other words, the economic interest of the dominant class, which judges everything from the standpoint of profit or revenue, does not coincide with the best interests of the whole people.

The cost of government, normal and extraordinary, is borne in the long run by industry. The masses must bear the ultimate burden of national extravagance. War to-day is a business proposition, a matter of commercial profit. Though the people have everything to lose and nothing to gain by an imperialist policy of commercial expansion, which entails

L.392

fabulous expenditures for armaments, even if actual war is avoided, they are easily cajoled into believing that what is good for business—that is, for certain privileged groups of capitalists—is also good for all the people. Hence they accept and endorse whatever policies the ruling class demands.

Herbert Spencer believed that the industrial *régime* would tend to widen human liberties and bring nearer the era of international peace. But he never comprehended its development as exemplified in modern business methods. The industrial *régime* has fully arrived; yet who will deny that its latest growth is inimical to personal liberty, or that it favors warlike aggression. The world's market becomes more and more a bone of contention among the industrial nations. Furthermore, each is striving to secure for its own use and behoof tracts of territory, plus inhabitants, that can be exploited exclusively for capitalistic profit. International complications almost invariably arise out of disputes over these acquired or conquered preserves. Of this nature was the recent affair in Northern Africa between France and Germany. The Russo-Japanese war was fought because of the effort of Russia to secure the Manchurian preserve. The Boer war originated in the demands of British capitalists to exploit the mines without restraint, and ended by adding the Dutch republics to the field of British commercial development, with incalculable opportunities of capitalistic profit.

In pursuit of commercial advantage and territorial expansion with a view to profit the industrial nations have become vast armed camps, each jealously watching the other. Year by year, despite the Hague Commission and hypocritical talk of peace, they increase their armaments,—because relative strength alone counts,—until most of the European nations are industrially crippled and impoverished through their futile and senseless attempts to outdo each other in readiness for war. Aiming at business ascendency, they pursue a course which must defeat its own end by sapping the very source of profits—the industry and prosperity of the masses.

L.392

These are the results we are bidden by our shallow rulers to emulate. America is yet far from the stage of exhaustion from which continental Europe suffers. She is still a young commercial giant, vigorous and aggressive. Her capitalists and industrial leaders have here at home the largest and most lucrative field for exploitation the world affords. But commercial greed has corrupted the national spirit. Roosevelt proclaiming the ruthless extermination with machine-guns of savages armed with bolos to be "entirely satisfactory" typifies this new American spirit, which points to recrudescence of militarism and consequent attacks all along the line upon individual liberty, to the decay of the ideals from which the American nation first sprang. WILLIAM BAILIE.

THE FIRST AMERICAN ANARCHIST

William Bailie's "Josiah Warren" is the first and an admirable attempt to meet what has been, in the real sense of the term, a "long-felt want." With the exception of Warren's own writings, all too few and for some time practically out of print, and Stephen

L.392

Pearl Andrews's exposition of Warren's ideas in the "Science of Society," there has been no direct elucidation of the principles which Warren discovered and enunciated other than the active propaganda carried on by Liberty and its auxiliary publications. The time was therefore extremely ripe for just such a work as Mr. Bailie has undertaken to produce, and in which production he has in a large measure succeeded. Wherein he has failed to take advantage of his rare opportunities I shall later point out.

We are taken, in the first chapter, to Warren's early life, which in many ways was the most remarkable part of this most remarkable man's life. It has not often occurred, in the history of the world, that an ardent social reformer has been at the same time an inventive genius of the highest order; yet it is no exaggeration to say that Josiah Warren was such an one. Whenever he discovered a human need, he apparently set to work to supply it, and his inventions covered in their scope a list that ranges from illumination to a new system of musical notation. There was seemingly no problem in industrial as well as social activities and necessities whose solution he did not attempt and, in some way, accomplish. The world will never know to what extent he benefited it, for he frequently made no effort to protect his inventions by patents, and from one of the greatest of them—that of the cylinder press printing paper from a roll—he got absolutely nothing, some large manufacturers many years later amassing great wealth from the adoption of his idea. Mr. Bailie has now put the world in a position to find out something about this

L.392

rare character, who devoted a wonderfully fruitful life to its service.

It is quite evident that the writing of this book has been, for Mr. Bailie, a work of love. His style is lucid and entertaining, and he makes of Warren's interesting life a story still more interesting in the charming way in which he tells it,—a way that is impressive in the fulness of his sympathy for his subject. He tells us how Warren joined forces with Owen at New Harmony, and then discovered the failure of majority rule to solve such social problems as were involved in that attempt at colonizing reformers. He soon realized that there was no personal liberty or individual responsibility in the colony, and therefore left it. Our biographer next tells us of Warren's famous "time stores" and of their success. Warren was the originator of the idea of manual training schools, and his views of education were in other respects a half a century in advance of the times. An especially interesting feature of the book is a *facsimile* of the labor note issued by Warren and used by him in connection with his time store. An extended description of the village of Modern Times and of Warren's life there is given; a chapter is devoted to Warren's inventions in printing, one to the closing years of the pioneer Anarchist, and then one is devoted to Warren's philosophy. The book closes with an appendix, which consists of a letter written by Warren (said to be his last published writing) to a friend, which friend was E. H. Heywood. Mr. Bailie does not give Mr. Heywood's name, although it has long been a matter of public knowledge that he was the person

L.392

to whom it was written.

On page 23 a fact is disclosed which recent events have made doubly interesting. While Warren was living in Cincinnati, he obtained from Nicholas Longworth a ninety-nine-year lease on a large tract of land that now comprises the central portion of the business part of that city. Later Warren reprehended so fully the holding of land for speculative purposes that he voluntarily relinquished his holdings, which thus reverted to Mr. Longworth without any compensation being demanded from the latter by Warren. Thus Alice Roosevelt's husband, a descendant of the Nicholas Longworth mentioned, was made a rich man through the scrupulous honesty and magnanimity of the pioneer of those Anarchists whom her father so roundly abused in his message to congress!

Another indication of Mr. Bailie's great sympathy for his subject is his neglect to point out that, not only in his later life, but almost from the beginning of modern Spiritualism, Warren was a believer in it. This may be a venial sin, but it is clear that a biographer's fidelity to his subject should prevent him from exercising too great consideration for the results of a candid exposition of his subject's character and beliefs.

It is noteworthy, too, that Mr. Bailie has neglected to make any mention of Lysander Spooner's name in connection with Warren, although his motive in this case is not so clear. Spooner's *political* propagandism always closely paralleled Warren's, and, during the last months of Warren's life, at any rate, he, Linton, and Spooner were a notable trio frequently together.

L.392

A most astonishing fault in this volume, however, is Mr. Bailie's failure to mention the fact that Sidney H. Morse, the sculptor, was, during the last two years of Warren's life, his most active propagandist. Furthermore, Morse's efforts were so great that they did not fail of appreciation by Warren, and the latter showed his full recognition of their value by making Morse his literary executor. Mr. Bailie's biography would certainly have been the place to record these facts, as well as the further incident that Warren, at the time of designating Morse as his literary executor, stipulated that, at the latter's death, the literary effects should be passed on to Benj. R. Tucker.

I have already mentioned Mr. Bailie's apparent sympathy for his subject; and certainly the greater part of this volume, as well as Mr. Bailie's contributions to Liberty, would proclaim him a sincere partisan of Warren. This makes all the more incomprehensible the fact that, on page 82, he apparently gives away Warren's whole case. To quote:

> How far they [Warren's principles] will inspire the individual to undertake and carry out functions with which society in its collective capacity alone can adequately deal remains a speculative question. It may well be doubted, for example, whether Warren's teaching would inspire an individual or group to plan and carry out so far-reaching a public enterprise as the Metropolitan Park System of Massachusetts. Here we have a commission with adequate powers and resources devising and executing comprehensive schemes, requiring for their completion many years. In this instance, the community reaps beneficial results of a lasting character, despite the drawbacks now incident to public undertakings supported by compulsory taxation.

In this we seem to have Mr. Bailie as a special

pleader for State Socialism, and scarcely to be recognized as the same writer who, two pages previously, penned the following lines:

> Even Socialists, in proclaiming the doctrine of the Social Organism, insist on subordinating the individual to the aggregation we term society, unmindful that society exists and is maintained for the good of the individuals composing it, rather than that the individuals exist for the benefit of society. For, unless society subserve the welfare of its members individually, what valid reason remains for its continued existence?

In still greater contrast to the first quotation are the following extracts from pages 103, 104, and 105. Here we have the real Anarchist speaking:

> Its [the State's] function can be carried out with greater efficiency and certainty by a system of free association, a kind of protective insurance. Voluntary organization has accomplished even more delicate and difficult tasks in the social economy.
>
> But, if the arbitrary authority of government can be dispensed with, the numerous and ever-growing functions it has assumed, ostensibly for the good of the community, can equally well be taken away and the like kind of service be performed by voluntary agency . . .
>
> There is no service undertaken by government that could not be more efficiently and more economically performed by associated or individual effort springing up naturally to meet the needs of society.

It will be generally considered, I think, by those who read this book and who are acquainted with Mr. Bailie's other writings, that his lapse into advocacy of collectivism was but momentary and inadvertent, and that, after all, his implied criticism of Warren's attitude toward government was not intentional. Let us at least give him the benefit of the doubt.

In describing the life-work of a public character,

such as Warren certainly was, the account of what he accomplished during his life is not complete without some enumeration of the things that have resulted from his work, thus demonstrating its viability and the soundness of the principles upon which it was based. It is true that, in his introductory chapter entitled "The Anarchist Spirit," Mr. Bailie has given a survey of all the Anarchistic tendencies of the past, and shows that there have been other forces at work upon lines similar to those of Warren's efforts; but in this chapter Mr. Bailie has written in a general way only, and has not called attention to what is practically the *continuation* of Warren's work. In thus failing to point out the manner in which Warren's life-work has been carried on since his death, and to describe in some detail the agencies so engaged, a serious injustice to Warren has been done. There is material enough in the literary enterprises that have been engendered by Warren's ideas for at least a brief additional chapter in Mr. Bailie's book, and many Anarchists are going to miss it. Moreover, no greater value could be given to a biography of a reformer, especially in his own eyes were he living, than by adding to it what had been accomplished by the forces that were set in motion by his work. In fact, the results of his work are actually a part of it, and should be so taken into account.

The book is nicely printed and bound (coming from the press of Small, Maynard & Co., Boston), except for a few typographical errors which have crept in, none of which, however, are likely to confuse the reader, unless it be one on page 53, sixth line from the bottom, where the word "mill" should be "land."

L.392

I have pointed out these minor defects simply because they are not likely to be noticed elsewhere. They are really negligible, however, in comparison with the great service to Anarchism which the book renders by its excellence.

C. L. S.

"AT THE GATES OF THE CENTURY"

Such is the title of the fourth volume of the Poetical Works of Harry Lyman Koopman, one of the poets of Freedom. The reader must not expect to find, however, any such tempestuous denunciations of tyranny as, for example, Swinburne's ode on "Russia": any Philistine might read and enjoy these poems, — in some cases, perhaps, without knowing what they meant. Koopman's art is of the subtler, keener, finer sort, which convinces without one's knowing exactly why. His style is not bizarre, or complex, or yet an imitation of that of any other poet; for the most part, he glides smoothly along in conventional iambics, occasionally tripping into trochees, resorting still more rarely to anapests, with which prosodical weapon the youthful poetical mind finds it so easy to commit metrical murder. The essentially lyrical quality of Koopman's work is apparent in the fact that his verses melt into melody almost as one reads. In this category might be mentioned "Music's Waif," "Sea Kinship," and "The Love-Song," were it not that this would be ignoring dozens of others equally beautiful. Among the poems of grander import are "The Egoist," "Nature," "Self-Sacrifice," "Ugg the Dwarf," and "Letting in the Jungle," this last slightly reminiscent of Longfellow and "Hiawatha." Impossible as

L..392

it seems to be for any modern poet of free life to avoid the Whitmanic form, Koopman has almost succeeded, the only approach to it being "The Extremist," "Youth," and "Asses," although the bubbling dactylics of the latter remove it practically beyond the aspersion of imitation. Brevity, the soul of poetry as well as of wit, is a charming characteristic of this volume, few of its poems exceeding a page in length.

C. L. S.

JUDICIAL USURPATION

[Samuel Milliken in the "Philadelphia Record"]

The fiasco known as the Hill trial, the decision by the judge, his "binding instructions" to the jury, and their slavish acquiescence, suggest to a thoughtful man how far the great idea of "trial by jury" has been weakened.

Does any sane man hold Hill guiltless because his acts and omissions were formally and perfunctorily sanctioned by official supervisors? Testimony (however weak or strong) was presented that indicated Hill's guilty knowledge. What strictly moral right, therefore, had the judge to say that the case of the Commonwealth had not been proven, and thereupon to issue "binding instructions" to the jury to acquit the defendant?

The original idea of the jury was that it should be absolutely independent of the "king and his parliament." The jury of King John's time, drawn by lot "from the country," might accept or not, as it chose, the judge's instructions as to the law; it certainly would not have allowed the judge to comment on facts, and to usurp the jury's prerogative by summarily deciding for himself (and for them) on the guilt or innocence of an accused person. In other words, the jury was intended to judge not only the facts and the law, but even the justice of the law. The country was not supposed to have a slavish and superstitious respect for either the king's law or the king's judges. Both are at times wrong, even when the people is king.

The very phrase "binding instructions" is an insult to the average intelligence of the country, which indeed the jury is also supposed to represent. The jury is not an aid to or servant of the judge, but a co-equal part of the administration of

justice. The judge is chosen by the people to serve them; the jury is the people. Juries should listen to testimony, and draw conclusions therefrom for themselves, and not by way of the judge's gray matter.

In strict conformity with the basic idea of "trial by jury," any juryman would be justified in resenting "binding instructions." Indeed, the jury should resent the average "charge" of the judge whenever the judge comments on testimony, and draws conclusions therefrom; for in so doing the judge ceases to be a judge, and becomes an advocate for one side or the other.

In Pennsylvania the self-respect of juries is not high. In some States—Massachusetts, for instance—comments by a judge on facts would subject him to impeachment. But in Pennsylvania judges become advocates, supplementing lawyers' speeches, either for one side or the other. They issue "binding instructions," and even sometimes openly insult juries when verdicts are not according to the judge's expectations. Always such juries submit quietly to the public insult, but some day a courageous juryman will tell an impudent judge to mind his own business, and to let the jury mind theirs. We should have an abiding and reverent respect for natural law, but this respect should not extend to statute law, unless that law is in line with the eternal equities. And judges should be treated with respect, not necessarily because they are "judges," wearing foolish gowns, but only when they prove worthy of respect because "deep dyed with justice."

A BULWARK OF EXTORTION

In a letter to the New York "Evening Post" Mr. James M. Beck, one of the most prominent corporation lawyers in this country, comes very near to taking Anarchistic ground. An extract follows:

Among the many valuable communications which are made from time to time through the columns of the "Evening Post" by your correspondents, I have noted some discussion with reference to the patent system of this country. Instead of discussing the mere detail of this system, it has always seemed strange to me that there is not more consideration given by as practicable a people as ours to the utility of the patent system in any form.

Its influence upon our material welfare has been much exaggerated by many, who confuse the inventive genius of our people with an artificial system designed to protect it. Next to the unequalled resources of the United States and the consuming energy of its people, its greatness is due in large measure to an inventive genius, which never rests until it has either done a new thing, or an old thing better than before. This invaluable quality is innate, and in no respect dependent upon statutory legislation. Our people would have had the same inventive instinct, had there been no patent system, and its results might not have been appreciably less. Franklin, the first, and a typical, American inventor, abandoned a lucrative business to pursue his discoveries, and declined to take a patent on the most useful of his inventions. I believe that nearly all the useful inventions would have been developed, had there been no patent system. There is always an adequate incentive for invention without the monopoly of a patent.

A growing distrust among thoughtful men as to the real value of the system was evidenced some years ago by a committee of the English parliament, which, after a careful investigation, recommended the abolition of the system; and the same view was shared by Prince Bismarck, who, when chancellor of the German empire, made a similar recommendation.

Whatever its merits, the patent system is to-day one of the strongest bulwarks of extortion and injustice which our laws afford. A corporation with large resources can take a patent of doubtful legal validity, and, by prolonging litigation through the life of the patent, tax the people at will. It can do this indefinitely, for it can gain such a position during the life of the patent as to be almost impregnable, thereafter, to any competition.

When the dead come back to earth, although they have had an opportunity to complete their education, one does not perceive it. We are compelled to observe, rather, that they are much more stupid than before, for their mentality resembles astonishingly that of the people who evoke them. When Napoleon has a drummer for a spokesman, he reasons like a drummer. It is a very odd phenomenon.—*H. Hardwin.*

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